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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

E.K. WADE,	}	No. C 08-00001 JSW
	Plaintiff,	No. C 08-00021 CRB
v.	}	ADMINISTRATIVE MOTION TO
ELAINE CHAO, SECRETARY OF	}	RELATE CASES AND [PROPOSED]
LABOR, ET AL.	}	ORDER
	Defendant.	
	}	
	}	

18 On December 28, 2007, this Court dismissed the action of *E.K. Wade v. Elaine Chao*, 06-
 19 4725 MJJ and gave plaintiff leave to file one new complaint. On January 2, 2008, Plaintiff filed
 20 the new complaint *E.K. Wade v. Elaine Chao, et al.*, CV-08-00001 PJH. On January 15, 2008,
 21 the Honorable Martin Jenkins issued an order relating case CV-08-00001 PJH to CV 06-4725
 22 MJJ. On January 17, 2008 the court issued an order reassigning case No. CV-08-00001 PJH to
 23 the Honorable Martin Jenkins.

24 However, on January 3, 2008, Plaintiff also filed the another complaint *E.K. Wade v.*
 25 *Elaine Chao et al.*, CV-08-0021 MEJ (now CV-08-00021 CRB). Because both complaints (CV-
 26 08-00001 and CV-08-00021) involve the same parties, facts and circumstances, and because this
 27 Court has previously ordered that all actions against the Secretary of Labor be consolidated into
 28 one complaint, the Federal Defendants requested the Court to consolidate the actions into one
 complaint.

The Federal Defendant mistakenly understood the January 15, 2008 order to have related all cases in this matter and consequently on February 4, 2008 and February 20, 2008, made a motion to consolidate the cases into one complaint consistent with its understanding of the December 28, 2007 court order. However, pursuant to court order issued February 20, 2008, the Federal Defendant has been ordered to file an administrative motion to relate the cases. The Federal Defendant respectfully, requests that the Court relate cases CV-08-00001 JSW and CV-08-00021.

Dated: February 20, 2008

Respectfully submitted,
JOSEPH P. RUSSONIELLO
United States Attorney

/s/

MELISSA K. BROWN
Assistant United States Attorney

ORDER

The Court orders that case No CV-08-00001 JSW and CV-08-00021 be related.

DATED:

HONORABLE JEFFREY S. WHITE
U.S. DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

ADMINISTRATIVE MOTION TO RELATE CASES

to be served this date upon the party in this action by placing a true copy thereof in a sealed envelope, and served as follows:

FIRST CLASS MAIL by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

PERSONAL SERVICE (BY MESSENGER)

FEDERAL EXPRESS

FACSIMILE (FAX) Telephone No.: See Below

to the party(ies) addressed as follows:

E.K. Wade
542 North Civic Drive, Apt. D
Walnut Creek, CA 94597

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on February 20,2008 at San Francisco, California.

MANIK BOWIE
Legal Assistant